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March 21, 2016

**VIA ECF**

Chief Magistrate Judge Steven M. Gold  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Chambers 1217 Courtroom 13-D  
Brooklyn, New York 11201

Re: Alkaifi v. City of New York, et. al.  
14-CV-2680(RJD)(SMG)

Dear Honorable Judge Gold:

I write as counsel for Defendant Eric Monk and in response to Plaintiff's letter motion to this Court. (ECF. Dkt. 56). Contrary to Plaintiff's representations, Mr. Kwasnik e-mailed me on February 23, 2016 and sought revisions to Your Honor's schedule. (Exhibit 1: Email dated 2/23/2016 from Kwasnik).

Accordingly, on February 23, 2016, Mr. Kwasnik requested the following schedule: that Plaintiff's opposition be submitted on April 7, 2016 and that Defendant Monk's reply be submitted to the Court by April 14, 2016. Consistent with the dates in the aforementioned email, Mr. Kwasnik intentionally submitted a letter motion to the Court requesting the aforementioned briefing schedule.

In response, Your Honor granted Mr. Kwasnik's request on March 1, 2016. (ECF. Dkt. 54). Nevertheless, despite this Court's order, Mr. Kwasnik unilaterally opted to adhere to the original dates and served his response on March 7, 2016. On March 8, 2016, Mr. Kwasnik then unilaterally decided that he wanted to expedite the timetable for the briefing schedule despite his prior letter motion to the Court.

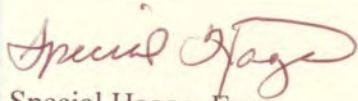
As a courtesy, I agreed to yet another revision to the schedule so that Defendant Monk's reply would be due on March 21, 2016. During this telephonic conversation, Mr. Kwasnik also indicated his interest in seeking a ninety-day extension for discovery. Again, I agreed to Mr. Kwasnik's request. During the course of the aforementioned telephonic conversation, Mr. Kwasnik represented that he would submit a letter motion to the Court; I thereby waited for Mr. Kwasnik to submit a written letter motion to this Court based on his request for yet another amended briefing schedule—to no avail.

On March 20, 2016, when it became apparent that Mr. Kwasnik was not going to contact the Court before March 21, 2016, I requested a week's extension to March 28, 2016. Mr. Kwasnik did not respond to my email and instead has submitted a letter to the Court with issues he never raised over the past month either in writing or verbally.

As such, I decline to address the other allegations in Mr. Kwasnik's correspondence to this Court because they are disingenuous and indicative of Mr. Kwasnik's ongoing gamesmanship. Mr. Kwasnik has spoken to me on several occasions and has not requested any of the things he raised in his letter to the Court today.

In closing, I respectfully request that Defendant Monk be given an additional week to respond due to scheduling conflicts. This is Defendant Monk's first such request, and since the Court's order for the April 7<sup>th</sup> and April 14<sup>th</sup> briefing schedule remains in place, Defendant Monk's request will not cause any undue prejudice or delay to the parties. Again it is unfortunate that Mr. Kwasnik has sought this Court's intervention without speaking to me first, however, hopefully our communications in litigating this matter will improve going forward.

Respectfully,

A handwritten signature in dark ink, appearing to read "Special Hagan", written in a cursive style.

Special Hagan, Esq.  
Attorney for Defendant Eric Monk

Cc: Noreen Stackhouse, Esq.  
Micah Kwasnik, Esq.